

AN ACT

ENTITLED, An Act to revise the definition of qualified mental health professionals and to clarify when reimbursement is required for the services of qualified mental health professionals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 27A-1-3 be amended to read as follows:

27A-1-3. As used in this title, the term, qualified mental health professional, means a physician licensed pursuant to chapter 36-4 or a member of one of the professions listed in this section who has received a competency-based endorsement as a qualified mental health professional from the Department of Human Services. The following persons are eligible to apply for the endorsement:

- (1) A psychologist who is licensed to practice psychology in South Dakota;
- (2) A psychiatric nurse with a master's degree from an accredited education program and two years of supervised clinical experience in a mental health setting;
- (3) A certified social worker with a master's degree from an accredited training program and two years of supervised clinical experience in a mental health setting;
- (4) A person who has a master's degree in psychology from an accredited program and two years of supervised clinical mental health experience and who meets the provision of subdivision 36-27A-2(2);
- (5) A counselor who is certified under chapter 36-32 as a licensed professional counselor -- mental health; or
- (6) A therapist who is licensed under chapter 36-33 as a marriage and family therapist with two years of supervised clinical experience in a mental health setting.

Except as provided in § 36-4-20, each qualified mental health professional shall meet all licensing and certification requirements promulgated by the State of South Dakota for persons engaged in private practice of the same profession in South Dakota. However, the private practice licensure

requirement for persons referred to in subdivision (4) does not apply to those employed by the State of South Dakota or mental health centers.

Section 2. That § 58-17-56 be amended to read as follows:

58-17-56. Notwithstanding any provision of any policy of insurance subject to the general provisions of this title, whenever such policy or contract provides for reimbursement for any service rendered by or directly supervised by a qualified mental health professional as defined in § 27A-1-3, which may be legally performed by a mental health center as defined by § 27A-1-1, reimbursement for coverage provided under such policy or contracts may not be denied. However, the provisions of this section only apply to the services defined in § 58-17-98.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1087

Chief Clerk
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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1087
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor
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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor
=====

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State